

REMARKS

The application is believed to be in condition for allowance.

Claims 1-7 and 10 are pending, claims 1 and 7 being independent. Claims 10-17 are new.

There are no formal matters outstanding.

The Rejections

Claim 1 stands rejected as anticipated by ONISHI (JP59175857).

Claims 1, 3, and 5 stand rejected as anticipated by ABE 4,147,811.

Claim 2 stands rejected as obvious over ABE in view of MATSUURA 4,514,433.

Claim 4 stands rejected as obvious over ABE.

Claims 5 and 6 stand rejected as obvious over ONISHI in view of HARTZ 3,812,270.

Analysis of the Rejections

Claim 1 is not believed to be anticipated by ONISHI (JP59175857).

ONISHI is not seen as disclosing an aqueous ethanol solution. See new claim 10.

Further, ONISHI does not teach to apply this solution to the inside surface of a container. Rather, ONISHI teaches

only to partially filling the vessel with the coagulant solution. Thus, this recitation is not anticipated and the rejection should be withdrawn.

Claim 1 has been amended to recite:

"applying an aqueous ethanol solution or an aqueous solution containing at least one of a magnesium salt and a calcium salt to the inside surface of [a] an empty container to coat the inside surface of the empty container,

"filling the thus-coated empty container with soybean milk containing a coagulant,".

These clarified recitations are clearly not anticipated.

ABE suffers the same shortcomings as does ONISHO and does not anticipate for the same reasons.

ABE teaches partial filling with the coagulated soy milk and bittern solution, the container subsequently filling with soy milk. Thus, there is no anticipation of applying an aqueous [ethanol] solution to coat the empty container.

Further, as to claim 3, there is no disclosure of the recited "aqueous solution is water containing a total concentration of 1 ppm of magnesium ions or calcium ions or both."

As offered by the Official Action, the aqueous solution contains coagulated soy milk and bittern solution. The Examiner

has not offered the reference for that recited, i.e., water containing a total concentration of 1 ppm of magnesium ions or calcium ions or both. Therefore, this claim is not anticipated.

Claim 5 has been amended to avoid the claim reading on routine transport bumping during shipping and subsequent to manufacturing. That is, ABE does not anticipate "intentionally as a manufacturing step, giving impact from the outside of the container to the sealed container having tofu packed therein after the heat coagulation step."

Withdrawal of both anticipation rejections is requested.

Note that claims 1 and 7 have been amended to recite that the soybean milk filling the container comprises a coagulant. This is to clarify that the coagulation of the soybean milk is caused by the coagulant and not the aqueous solution applied to the inside of the container. See specification page 5, line 5 and lines 17-18.

Claim 2 is not believed to be obvious over the combination of ABE and MATSUURA.

The rejection essentially substitutes the ethanol solution of MATSUURA for the coagulated soybean milk of ABE. This substitution is not believed reasonable as ABE is directed to the manufacturing of coarse-grained bean curd which requires the coagulated soybean milk.

In the Summary of the Invention section, column 1, see that ABE is directed to "cotton-strained" bean curd with a coarse structure of crushed coagulated soybean milk. Thus, one of skill would not replace the coagulated soybean milk of ABE with the ethanol solution of MATSUURA as the substitution does not allow the manufacture of the desired coarse-grained bean curd.

As to HARTZ, the teaching is directed to cushioning a dropped contained, which teaching is contrary to the recitation of "giving impact." Further, the claim recites that the impact is given after the heat coagulation step. HARTZ makes no teaching in this regard. The teaching of HARTZ would be to avoid giving impact. See the Abstract express teaching of maintaining the liquid package at a height so as to effect a cushioning of the filled containers as they are transferred from the input conveyor to the pocket conveyor.

Therefore, HARTZ is seen as teaching away from the recitations of claims 5-6.

Claim 6 has been amended to recite that the drop is sufficient to break a contact between the contained tofu and the inside surface of the container. Support for this recitation is found at least at specification page 7, first full paragraph. The applied references do not make this teaching.

Claim 7 is believed non-obvious for the reasons discussed above. See the amendment avoiding non-intentional and trivial slapping and/or dropping.

The newly-added dependent claims are believed patentable as their recitations are believed to be both novel and non-obvious.

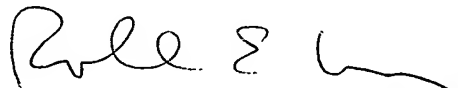
Accordingly, reconsideration and allowance of all the pending claims are respectfully requested.

The application is believed to be in condition for allowance and an early indication of the same is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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